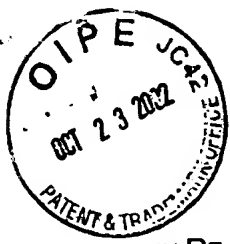


1743



Attorney Docket No. 50225-8019.US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10

IN RE APPLICATION OF: Bjornson *et al.*
SERIAL No.: 09/509,337
FILED: June 13, 2000
FOR: **LAMINATE MICROSTRUCTURE DEVICE
AND METHOD FOR MAKING SAME**

EXAMINER: Ludlow, J.
ART UNIT: 1743
Confirmation No. 1608

RECEIVED
OCT 24 2002
TC 1700

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. § 10.40(c))

REQUEST FOR PERMISSION TO WITHDRAW

1. I, a patent agent signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

(complete the following item, if appropriate)

☐ Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under

☐ 37 C.F.R. § 1.60(b),

☐ 37 C.F.R. § 1.62(c).

this withdrawal request is also for such continuing application.

LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the:

- ☐ inventor(s)
- ☒ assignee of the entire interest is

ACLARA BioSciences, Inc.
1288 Pear Avenue
Mountain View, CA 94043

APPROVED
Richard V. Fisher
RICHARD V. FISHER, DIRECTOR
TECHNOLOGY CENTER 1700

NOV 29 2002

BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c).

Explanation (including brief description of exhibits, if any):

Client's email dated 10/17/02 stating that they would like the case transferred to Richard R. Batt, Esq. of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304-1018. A copy of that email is enclosed herewith.

ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due (if any)

(i) ☐ There is no outstanding term for response.

(ii) ☒ There is an outstanding term for response that expired on September 26, 2002.

The above term is extendible under 37 C.F.R. § 1.136(a), until December 26, 2002.

(complete the following, if applicable)

(iii) ☐ Also submitted herewith, is a response to the outstanding Official Action.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a), is:

☒ at least two months.

☐ cannot be calculated because this case is awaiting action by the PTO.

NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including attachments, is being sent to the client.

A copy of the letter of acknowledgement to the client is enclosed. A copy of the forwarding letter to Morrison & Foerster LLP is also enclosed.

Note: A practitioner shall not withdraw from employment without giving due notice to his or her client, 37 C.F.R. § 10.40(a).

NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.

Note: To expedite the handling of request for permission to withdraw as attorney under 37 C.F.R. § 1.36 submit the request in triplicate (original and two copies.) Notice of September 3, 1985 (1058 O.G. 32).

7. Related Applications for Which Withdrawal is Requested

Withdrawal also is (has been) requested in the following related application of the:

(check all applicable items)

- ☐ inventor(s):
- ☐ assignee:
- ☐ common representative:

<u>Application Number</u>	<u>Group</u>	<u>Status of Withdrawal request</u>
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SIGNATURE(S) OF WITHDRAWING ATTORNEY(S) (PRACTITIONER(S))

*Note: Each attorney of record must sign the notice of withdrawal or the notice of withdrawal must contain a clear indication of one attorney signing on behalf of another.
M.P.E.P. § 402.06, 6th ed., rev. 3.*

8. Signature(s) of the agent/attorney(s) withdrawing (or signature of an authorized agent/attorney on behalf of the agent/attorney(s) withdrawing)

Jacqueline F. Mahoney, Registration No. 48,390

Peter J. Dehlinger, Registration No. 28,006

Judy M. Mohr, Registration No. 38,563

LeeAnn Gorthey, Registration No. 37,337

Linda R. Judge, Registration No. 42,702

Larry W. Thrower, Registration No. 47,994

Jacqueline F. Mahoney October 18, 2002
Signature of authorized patent agent signing on behalf of agents/attorneys withdrawing Date

Jacqueline F. Mahoney, Registration No. 48,390

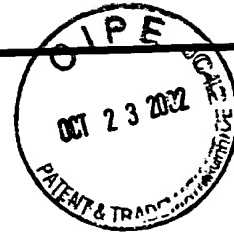
Correspondence Address:

Customer No. 22918

Phone: 650 838-4401

Mahoney, Jacqueline - MP

From: Macevicz, Stephen [smacevicz@ACLARA.com]
Sent: Thursday, October 17, 2002 3:12 PM
To: Mahoney, Jacqueline - MP
Cc: Dehlinger, Peter - MP; O'Bryant, Tami; 'rbatt@mofo.com'
Subject: RE: 50225-8019.US00 response



COPY

Hi Jacqueline,

Thanks for your note. I have decided to let Rick Batt of MoFo handle that case because he already has most of our microfluidics fabrication cases.

In view of this, could you please have the file transferred to him at MoFo.

- His coordinates are as follows:

Richard R. Batt
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

(650) 813-5616 (direct)

Best regards,

Steve

-----Original Message-----

From: Mahoney, Jacqueline - MP [mailto:JFMahoney@perkinscoie.com]
Sent: Thursday, October 17, 2002 2:53 PM
To: 'Macevicz, Stephen'
Subject: RE: 50225-8019.US00 response

Thanks Steve,

I just wanted to clarify whether you, at Aclara, or I would be preparing the response.

Regards,
Jacqueline

Jacqueline Mahoney
Patent Agent
Perkins Coie LLP
Direct phone: (650) 838-4410
email: mahoj@perkinscoie.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

-----Original Message-----

From: Macevicz, Stephen [mailto:smacevicz@ACLARA.com]
Sent: Tuesday, September 24, 2002 1:27 PM
To: Mahoney, Jacqueline - MP
Subject: RE: 50225-8019.US00 response

Jacqueline,

Thanks for the message. I will have to get back to you next week, but we will be responding to the Examiner in this application.

Regards (and congratulations)

Steve Macevicz

-----Original Message-----

From: Mahoney, Jacqueline - MP [mailto:JFMahoney@perkinscoie.com]
Sent: Monday, September 23, 2002 5:15 PM
To: Steven Macevicz (E-mail)
Subject: RE: 50225-8019.US00 response

Re: U.S. Patent Application No. 09/509,337
for: Laminate Microstructure Device and Method for Making Same
Your Reference: ACBI.019.01US
Our Reference: 50225-8019.US00

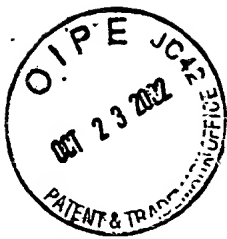
Dear Steve:

The due date for response to the outstanding Office action in the above-mentioned application is September 26, 2002 with extensions of time available. We have a note in our file to check with Aclara before working on a response. Please indicate whether Aclara wishes to pursue this application. Also, please be aware that the primary reference has a later priority date than the present application.

Regards,
Jacqueline

Jacqueline Mahoney
Patent Agent
Perkins Coie LLP
Direct phone: (650) 838-4410
email: mahoj@perkinscoie.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.



Perkins
Coie

JACQUELINE F. MAHONEY
(650) 838-4410
mahoj@perkinscoie.com

101 Jefferson Drive
Menlo Park, CA 94025-1114
PHONE: 650.838.4300
FAX: 650.838.4350
www.perkinscoie.com

October 18, 2002
Via Federal Express

Richard R. Batt, Esq.
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, CA 94304-1018

Re: U.S. Patent Application No. 09/509,337
for LAMINATE MICROSTRUCTURE DEVICE AND METHOD FOR MAKING SAME
Our Ref. No.: 50225-8019.US00
Aclara's Ref. No. ACBI.019.01US

Dear Mr. Batt:

We are in receipt of an email from S. Macevicz of ACLARA BioSciences, Inc. dated October 17, 2002 stating Aclara's decision to transfer the above-referenced patent application to you for further prosecution.

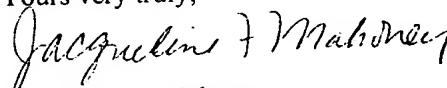
Accordingly, enclosed is the file for your further handling. Also enclosed is the docket listing for this case. Please note that a response to the Office Action dated June 26, 2002 is due by October 26, 2002 with a one-month time extension.

Additionally, we have filed a Request for Permission to Withdraw as Attorney under 37 CFR §10.40(c) in the application.

By signing, dating, and returning the copy of this letter, you agree to take responsibility for the continued prosecution of this case.

If you have any questions, please contact our offices.

Yours very truly,


Jacqueline F. Mahoney
Patent Agent

JFM/lba
Enc.

Acknowledgement of Receipt:

By: _____ Date: _____

ANCHORAGE · BEIJING · BELLEVUE · BOISE · CHICAGO · DENVER · HONG KONG · LOS ANGELES
MENLO PARK · OLYMPIA · PORTLAND · SAN FRANCISCO · SEATTLE · SPOKANE · WASHINGTON, D.C.

Perkins Coie LLP (Perkins Coie LLC in Illinois)



Perkins
Coie

JACQUELINE F. MAHONEY
(650) 838-4410
mahoj@perkinscoie.com

101 Jefferson Drive
Menlo Park, CA 94025-1114
PHONE: 650.838.4300
FAX: 650.838.4350
www.perkinscoie.com

October 17, 2002

Stephen Macevich, Esq.
ACLARA BioSciences, Inc.
1288 Pear Avenue
Mountain View, CA 94043

Re: U.S. Patent Application No. 09/509,337
for LAMINATE MICROSTRUCTURE DEVICE AND METHOD FOR MAKING SAME
Our Ref. No.: 50225-8019.US00
Your Ref. ACBI.019.01US

Dear Steve:

We are in receipt of an email from you dated October 17, 2002 stating your decision to transfer the above-referenced patent application to Richard R. Batt of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304-1018 for further prosecution.

Accordingly, we are transferring the file to R. Batt, Esq. and enclose a copy of the forwarding letter to him.

Additionally, we have filed a Request for Permission to Withdraw as Attorney under 37 CFR §10.40(c) in the application.

If you have any questions, please contact our offices.

Yours very truly,

Jacqueline F. Mahoney
Patent Agent

JFM/lba
Enc.

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MENLO PARK · OLYMPIA · PORTLAND · SAN FRANCISCO · SEATTLE · SPOKANE · WASHINGTON, D.C.

Perkins Coie LLP (Perkins Coie LLC in Illinois)